

Chapter 3

Administration

The Solid Waste Management Plan has many different elements, and each is implemented through its own combination of public and private agencies, contracts and laws. The private sector operates practically all solid waste collection, transport, processing and disposal operations in Clark County, while public agencies have responsibility for ensuring their effectiveness and implementing public policies, as well as protecting the public health and welfare. Thus, the public-private relationships set forth in a variety of contracts and laws are vital to the economic health of solid waste management in the county. This chapter looks at the administrative roles of jurisdictions for solid waste management in the county. Chapter 16, Enforcement, reviews solid waste regulations which govern local government, the solid waste industry and solid waste generators.

Regulations Governing Local Government

State law requires the county to prepare and update a 20-year solid waste management plan, including plans for solid waste handling facilities, programs to reduce the amount of waste generated, incentives for source separation, residential recycling collection, education and promotion on waste reduction and recycling and plans to manage moderate risk wastes. Ecology enforces the planning requirement, in part, through distribution of grant funds for projects which implement the plan. State law, RCW 36.58, RCW 35.21, RCW 35A21, RCW 81.77, regulates how cities and counties contract for solid waste services and how they generate revenues to fund solid waste management activities.

Existing Conditions

Administrative Roles

Local governments, collection, disposal and processing companies, regulatory agencies and a variety of other businesses, agencies and organizations work together to manage solid waste in Clark County. Administration is a cooperative effort between city and county elected officials, county and municipal staff, the Southwest Washington Health District (SWWHD) and state agencies.

Clark County, through its Solid Waste Program, a section of the Public Works Department, has the long term solid waste planning and facility development responsibility within the County. Through this authority, the County provides regional coordination, regional services, services to cities and other agencies and local services in the unincorporated areas of the county. The County:

- Prepares and updates the County's 20-year Comprehensive Solid Waste Management Plan;
- Works with over 30 public and private agencies to coordinate solid waste management activities, including the County Solid Waste Advisory Commission (SWAC);
- Contracts for long-term disposal of waste generated throughout the county and for household hazardous waste collection and disposal;
- Supervises maintenance and monitoring of closed landfills in the county;
- Provides contract administration services to cities and school districts;
- Promotes waste reduction through a variety of educational efforts throughout the county;
- Provides technical assistance on proper waste management and related environmental topics to businesses throughout the county;
- Contracts for recycling collection programs in the unincorporated areas, including residential curbside and multi-family recycling collection, yard debris collection and recycling collection at schools.

Cities:

With a variety of options for involvement in solid waste activities within their boundaries, Clark County's seven cities adopt and participate in the countywide Comprehensive Solid Waste Management Plan and the countywide disposal system.

Vancouver:

The City of Vancouver is the only one of Clark County's municipalities with its own dedicated solid waste staff. Prior to 1997, the city's recycling collection contracts were administered jointly with the Clark County and Battle Ground contracts. After doubling its population through a major annexation, the city rebid its recycling contracts and negotiated garbage collection contracts. Vancouver now accounts for 40% of the county's residents. City of Vancouver staff performs the following:

- Administers two separate recycling collection contracts and two separate garbage collection franchises for separate areas of the city, plus citywide yard debris and multi-family recycling contracts. This function includes serving as a liaison between the collection contractors and customers on billing and service issues, as well as developing rate structures and rate modeling;
- Operates an annual neighborhood clean-up program and a leaf collection program;
- Licenses haulers of commercially-generated recyclable materials;
- Participates in and coordinates with the educational programs;
- Maintains data on city programs and produces informational materials and reports;

- Reviews and provides input into county solid waste program annual priorities, project work plans, publications and proposed annual budgets;
- Administers and enforces Vancouver solid waste ordinances and responds to complaints.

Other cities:

- **Camas** provides garbage collection with city staff and vehicles and contracts for recycling collection and other services.
- **Washougal** contracts for both garbage and recycling collection.
- **Ridgefield** contracts for garbage collection.
- **Battle Ground** participates in Clark County's recycling collection contracts for single-family, multi-family and yard debris.
- **Yacolt** and **La Center** receive recycling collection services through county-administered contracts (initiated in the beginning in 1999).
- Recycling collection in Ridgefield and garbage collection in Battle Ground, Yacolt and La Center are administered through the WUTC. The cities conduct periodic clean-up events within their borders.
- Review and provide input into county solid waste program annual priorities, project work plans, publications and proposed annual budgets.

Clark County Solid Waste Advisory Commission

The Clark County Solid Waste Advisory Commission (SWAC) is a 9-member citizen advisory board to the Board of County Commissioners and Southwest Washington Health District. Members represent the geographic areas of the county, the City of Vancouver, the small cities and towns, businesses, the solid waste industry and public interest groups. The SWAC provides and receives public input on solid waste plans, policies and ordinances and has a significant role in developing and updating Clark County's 20-year Comprehensive Solid Waste Management Plan.

Southwest Washington Health District

The Southwest Washington Health District (SWWHD) is the designated enforcement agency for solid waste regulations in Clark and Skamania Counties. The SWWHD administers the state's permit system for solid waste facilities, such as landfills, transfer stations and recycling facilities, and enforces the State's Minimum Functional Standards for solid waste handling, including handling of municipal and industrial sludges and petroleum-contaminated soils. The SWWHD enforces SWWHD regulations on infectious waste and waste oil and responds to complaints regarding illegal dumping, burying and accumulations of waste on private property.

Southwest Air Pollution Control Authority

The Southwest Air Pollution Control Authority (SWAPCA) regulates mobile and stationary sources of air pollutants in Clark, Skamania, Lewis, Wahkiakum and Cowlitz counties.

The primary role of SWAPCA, with respect to solid waste management, is regulation of emissions from incinerators and landfill gas control systems and implementation of the ban on outside burning in the non-attainment areas of the county. This burn ban is described in the chapter on "Enforcement."

Washington State Department of Ecology

Ecology is the state agency responsible for oversight of solid waste management. Since passage of the first Solid Waste Management Act in 1969, the focus of solid waste laws and regulations in the state has evolved from the closing of open burning dumps to the current implementation of a comprehensive statewide management plan that relies on sophisticated management strategies. The state retains authority for setting minimum standards for solid waste handling systems, while operations and management responsibilities are generally delegated to local governments.

Ecology controls compliance with RCW 70.95 and WAC 173-304 through its review and approval of solid waste management plans and facility permits. Regulatory authority over solid waste facilities is delegated by the state to local jurisdictional health departments. Approval of permits by local health departments may be appealed by Ecology to the Washington Pollution Control Hearings Board.

Washington Utilities and Transportation Commission

The WUTC regulates solid waste collection activities under RCW 81.77, through the issuance of certificates entitling private companies to provide solid waste collection services of a certain type — garbage, refuse and demolition waste — within specified geographic areas of the state. The authority of the WUTC, under RCW 81.77, is limited to collection of solid waste from generators and does not extend directly to the regulation of hauling solid waste from transfer stations.

Under RCW 81.77, the WUTC also regulates the collection of source-separated recyclable materials from residences, if the local government does not contract for that service. The state's solid waste statutes do not give the WUTC the authority to regulate the collection or transportation of recyclable materials from drop-boxes or buy-back centers; nor, do the statutes provide authority for regulating the collection of recyclables from commercial or industrial generators. Transportation of these materials is regulated under Chapter 81.80. Although the WUTC does have authority to regulate this transportation, this authority is not exclusive.

Administrative roles for solid waste management in Clark County are summarized in Table 3-1. Administrative roles in solid waste collection are summarized in Table 3-2.

Table 3-1 Solid Waste Management Administrative Roles in Clark County		
Solid Waste Roles	Responsible Agencies	
Administration	Primary	Also
Regional CSWM Plan	Clark County	Cities, Ecology, WUTC, SWAC, SWWHD
Regional coordination	Clark County	SWAC
Long-term safe disposal (includes transfer & transport)	Clark County	Ecology, SWAC
MRW collection & disposal	Clark County	
Monitor closed landfills	SWWHD	Clark County, Ecology
Coordinate regional waste reduction education & promotion	Clark County	EIC*
Regional MRW Education	Clark County	EIC*
Local education & promotion	County & Vancouver	
Environmental assistance to businesses	Clark County	
Garbage collection administration	WUTC, Cities	
Recycling collection administration	County, Cities, WUTC	
Recyclables processing	County	
Local clean-ups, seasonal collections	Cities, County	
Solid Waste management data & reports	County	Ecology, Vancouver
Development of new solid waste programs	County	Vancouver
Siting of solid waste handling facilities	County, cities & SWWHD	Ecology
*EIC = Environmental Information Center, funded and guided by a number of agencies, including Clark County, City of Vancouver, Clark Public Utilities, SWAPCA, WSU Vancouver, WSU Cooperative Extension and CTRAN		

**Table 3-2 Waste Collection Administration in Clark County
(1999)**

Geographic Area	Administering Agency & Operator		
	Garbage	Recyclables	Yard Debris
Unincorporated Clark County	WUTC, WCI	County Contracts WCI	County Contract WCI
Vancouver	City Contracts, WM/WCI	City Contracts, WCI	City Contract Waste Management
Camas	City	City Contracts (EWS), WCI	City Contract EWS
Washougal	City Contract (EWS) WCI	City Contract (EWS) WCI	City Contract EWS
Ridgefield	City Contract, WCI	WUTC, WCI	N.A.
Battle Ground	UTC, WCI	County Contracts WCI	County Contract
La Center	WUTC, WCI	County Contracts WCI (3/99)	N.A.
Yacolt	WUTC, WCI	County Contracts WCI (3/99)	N.A.

WUTC — Washington Utilities & Transportation Commission; WCI — Waste Connections, Inc.

WM — Waste Management, Inc.; EWS — Evergreen Waste Systems; N.A. — Not Available

Needs and Opportunities

During the early 1990's, the county and cities were rapidly implementing a new disposal system, a residential recycling collection and processing system, moderate risk waste programs and numerous supporting waste reduction and recycling education and information programs. Now that many of these programs and services are in place, attention is moving toward assisting businesses with waste reduction and toxicity reduction programs, which incorporate and complement other environmental programs. Many of these efforts benefit the region's water quality and related habitat and species protection programs. Accordingly, an expanded role in coordinating among disciplines, as well as jurisdictions, is evolving, and administrative and enforcement roles should be periodically reviewed to ensure they support continued efficient delivery of programs and services.

Regulations.

There is some need to update RCW 70.95, particularly as it sets the goal of a statewide recycling rate of 50% by 1995, which is outdated and not yet achieved. Since this code does not require any individual county to meet a specified recycling rate, the need to revise the state goal is up for debate. Ecology's Planning Guidelines, established before curbside recycling was widely available, also need to be updated. This work is now in progress. A revision of RCW 81.77, giving counties the same options as cities to manage solid waste collection, would provide Clark County with another tool in its toolbox, if the need arises for its use. Revisions to RCW 36.58, providing broader funding options for state-required county solid waste roles, should also be considered.

Washington State Department of Ecology

Updated statewide waste management data, including statewide waste stream analyses which are also useful at the local level, would help evaluate the effectiveness of existing programs and provide information on which to base decisions about future programs. An opportunity exists for Ecology to take the lead in coordinating and funding such analyses, through Toxics Control Account funding, as outlined in RCW 70.95.260.

Washington Utilities and Transportation Commission

The opportunity exists for WUTC to provide more active enforcement of its exclusive hauling franchises. The WUTC can work with Clark County and others to develop rate structures that support and encourage the RCW priorities for waste reduction and recycling and promote efficient programs. WUTC's role in managing waste in Clark County can be optional, rather than mandatory, at the discretion of the county, similar to the current options for cities.

Clark County Solid Waste Program Regional Coordination

As the urban residents of the county become annexed into cities, the administrative roles of the county and cities will need to be reviewed to ensure a good balance between effective coordination and individual community interests. Regional consistency in programs and communications to the public and efficiencies of scale must be balanced with support for community individuality. In addition, the City of Vancouver has indicated interest in establishing a more formal role in reviewing the county's proposed biennial solid waste budgets, particularly in potentially allocating some portion of county solid waste revenues to cities. The possibility exists to establish a formal board, representing the county and its cities, to perform or to oversee the regional coordination

roles currently performed by the county. Another possibility, which has been discussed in recent years, is the consolidation of county and city solid waste staffs, with the goal of more efficient service and better coordination. Several options exist, including establishment of a joint solid waste agency. These options were reviewed by a Technical Team on "County-cities administrative coordination, which met in January 1999 and submitted its recommendations to SWAC. See the Appendix for information on the Technical Team.

The county's role in coordinating with agencies and businesses within the broader watershed may become more important, as will its role in coordinating with agencies and businesses involved in other environmental issues, such as water quality, which have an impact on and are significantly affected by solid waste management issues.

Funding

Additional options to fund state-mandated county solid waste management programs have been noted as a need in other counties, and countywide fees have been proposed on solid waste collection. The county has the authority to implement a collection and/or disposal district, under RCW 36.58 and 36.58A, to generate revenue. The county will need to periodically consider the options to ensure that funding is continued for its required administrative roles.

Disposal

As private sector solid waste collection, processing and disposal businesses change, the county's role as coordinator must continue to balance its long-term commitments with opportunities for new efficiencies. When the county's 20-year disposal contract nears its end, the role as coordinator will be especially significant, as the private and public sector parties to solid waste management reconsider long-term management schemes. The possibilities for a less-centralized disposal system will need to be considered.

Cities

The county's smaller cities have the opportunity to take on more of the administration of solid waste collection, including both recyclables and garbage, if they so choose. Yard debris collection services could be made available within the cities if they want them. Cities that contract for solid waste collection need to consider each annexation, working with the WUTC and the certificated hauler on interim franchises and other alternatives to ensure the smoothest transition. Cities may choose whether to establish individual municipal SWACs to discuss city solid waste issues, such as mandatory collection, rate structures and clean-up programs.

Clark County Solid Waste Advisory Commission

The SWAC's role as advisory to the Board of County Commissioners will continue to fluctuate, depending on the issues related to agency roles and private sector initiatives.

Southwest Washington Health District

There is a need to review the SWWHD's role in the various areas of solid waste enforcement, to clarify roles with all agencies, promote convenience and efficiency for the public and ensure effective communications among all parties. If Ecology enacts possible exemption provisions from the current solid waste handling permit system, the SWWHD's role in permitting and compliance enforcement may lessen. However, the

SWWHD's role in enforcing against illegal dumping could increase as population increases.

Southwest Washington Air Pollution Control Authority

There is a continued need for coordinating with SWAPCA, through educational efforts and technical assistance, to ensure that appropriate solid waste management practices take the place of open burning, petroleum contaminated soils and asbestos is handled properly.

Alternatives

The following alternatives were considered by SWAC, after receiving recommendations from the County/Cities Administrative Coordination Technical Team and the Bi-State Workgroup, as well as comments from the public and stakeholders:

State agency administrative issues

- 1. Work with the Washington State Recycling Association and other counties and state agencies to develop a legislative update to RCW 70.95's goal of a statewide recycling rate of 50% by 1995.*
- 2. Encourage WA State Department of Ecology to take the lead in coordinating and funding updated solid waste management data, useful at the local level as well as the state level.*
- 3. Work with WUTC and WUTC-certificated haulers to develop rate structures that support and encourage waste reduction and recycling.*
- 4. Promote legislation to give counties the same options as cities for managing waste collection, including the ability to set rates.*
- 5. Support efforts of other jurisdictions, toward legislative changes to provide additional funding options for county solid waste, waste prevention and recycling needs.*

Regional/local administrative issues

- 6. Include language into both the Solid Waste Management Plan and interlocal agreements between the county and the cities that addresses: roles and responsibilities, funding policies and standards of communication.*
- 7. Update and expand interlocal agreements between the county and cities to include issues arising from this Plan update, including details regarding the generation and allocation of interlocal revenue. (* Tech Team)*
- 8. Establish a formal administrative board, representing the county and its cities, to perform or oversee the regional coordination roles currently performed by the county. (*Tech Team)*
- 9. Actively use the Plan update process to involve cities in setting priorities for county solid waste programs for the next five years. Keep city input into county solid waste program annual budgets informal, at the staff level. (*Tech Team)*
- 10. Consolidate county and city solid waste staffs, either through establishment of a joint solid waste agency or through joint offices with separate administrative and funding structures. (* Tech Team)*

11. *When convenient, the County and cities may coordinate to take advantage of contracts, co-locating, etc.*
12. *Encourage and assist cities in determining whether to establish municipal SWACs.*
13. *Encourage and assist cities in determining whether to take on additional solid waste activities, such as collection contracts, enforcement and education programs. Promote coordinated efforts and consistency of messages to the citizens. (* Tech Team)*
14. *Explore funding options, as necessary, to ensure that funding of required solid waste, waste prevention and recycling roles continues, such as collection and disposal districts, new revenue-generating authorities and contract revisions for disposal and collection services. (Note: this is not SWAC's preferred alternative, but is here if needed.)*
15. *Integrate the County Solid Waste Program to include other environmental issues, such as water quality, that have impact on and are significantly affected by solid waste.*
16. *Begin discussions in the next Plan update regarding long-term management options for waste transfer and disposal, beyond the existing agreements that run through 2011.*
17. *Continue and expand coordination with other agencies for educational and technical assistance programs that offer alternatives to open burning and ensure proper handling of asbestos and other waste management issues.*
18. *The County should work with Portland Metro to advance proposals that would mutually benefit both regions. Examples of such proposals include: the development and implementation of an advanced disposal fee for the bi-state region; development of joint market development projects and efforts; and, filing joint grant applications for solid waste projects or studies.*
19. *The County should provide for a reciprocal exchange of technical assistance and input with Portland Metro for areas of mutual concern, such as reviewing waste disposal or transport contracts, and sharing waste stream data and tonnage forecasts.*
20. *The County should enhance communication with Portland Metro governments in order to mutually benefit the efficiencies of solid waste systems of the Clark County/Portland Metro region. Examples of areas of potential benefit are: utilizing similar media messages in common media-shed, exchanging (illegal hauling and disposal) enforcement information, identifying opportunities for coordination and joint action.*
21. *The County should examine the potential of using joint or separate contracts with Portland Metro in order to reduce the likelihood of monopoly situations or to experience savings.*
22. *Explore intergovernmental cooperation alternatives for enhancing the regulation of the solid waste system and enforcement of laws and regulations. Alternatives include requiring regulated facilities to comply with the laws and regulations of other governments as a condition of contracts/licenses; developing uniform and consistent provisions and language for use in laws and regulatory devices; and, collecting solid waste fees and taxes originating in each others' jurisdictions.*

23. *The Clark County region should have discussions with Metro and other governments on any items of common interest and relating to solid waste issues.*

Evaluation of Alternatives

The following alternatives were considered by SWAC, after receiving recommendations from the County/Cities Administrative Coordination Technical Team and the Bi-State Workgroup, as well as comments from the public and stakeholders:

State agency administrative issues

1. *Work with the Washington State Recycling Association and other counties and state agencies to develop a legislative update to RCW 70.95's goal of a statewide recycling rate of 50% by 1995.*

The State's legislatively established recycling goal was to reach a 50% rate by 1995. In addition to the missed goal, Washington State reported a drop in the 1997-recycling rate, from 39% to 31%. The controversy on this topic has resulted in various parties giving testimony at State legislature work sessions and in the establishment of a statewide task force to investigate the problem and propose solutions. The County should work to help assess the issues of data accuracy, tracking, and definition of the recycling rate in order to develop a legislative update for the goal and the rate.

2. *Encourage WA State Department of Ecology to take the lead in coordinating and funding updated solid waste management data, useful at the local level as well as the state level.*

Updated statewide waste management data, including statewide waste stream analyses which are also useful at the local level, would help evaluate the effectiveness of existing programs and provide information on which to base decisions about future programs. An opportunity exists for Ecology to take the lead in coordinating and funding such analyses, through Toxics Control Account funding, as outlined in RCW 70.95.260.

3. *Work with WUTC and WUTC-certificated haulers to develop rate structures that support and encourage waste reduction and recycling.*

All cities and unincorporated areas within Clark County have some degree of variable-rate garbage collection services. While most rates provide incentives to reduce individual levels of service, they do not always directly reward further waste prevention within each level of service. The WUTC's rate design policies have historically discounted higher levels of service, based on the WUTC's cost-of-service model. However, the "Waste Not Washington Act," (Ch 431, Washington Sessions Laws) included modifications to the statutes directing haulers regulated by the WUTC to "...use rate structures and billing systems consistent with the solid waste management priorities set under RCW 70.95.010 and the minimum levels of solid waste collection and recycling services pursuant to local comprehensive solid waste management plans." [RCW 81.77.030(6)] It has been argued by some jurisdictions that the historic cost-of-service models used by the WUTC are in conflict with this legislative direction.

4. *Promote legislation to give counties the same options as cities for managing waste collection, including the ability to set rates.*

Direct regulation, by the county, of private collection companies operating in unincorporated areas is not currently possible without a change in state law. State legislative proposals, designed to transfer regulatory authorities for solid waste collection from the WUTC to counties, have been introduced periodically without success.

Enactment of state legislation, providing counties with authority similar to that of cities, is not expected until further evaluation is done with respect to how Ecology, WUTC, regional, county and city collection authorities can be effectively incorporated into a single, more integrated system.

5. *Support efforts of other jurisdictions, toward legislative changes to provide additional funding options for county solid waste, waste prevention and recycling needs.*

Additional options to fund state-mandated county solid waste management programs have been noted as a need in other counties, and countywide fees have been proposed on solid waste collection. Counties have the authority to implement a collection and/or disposal district, under RCW 36.58 and 36.58A, to generate revenue. If these available funding options are considered to be inadequate to ensure that funding is continued for their required administrative roles, legislative changes may be needed. The County could support the efforts of other jurisdictions for legislative changes for additional funding options.

Regional/local administrative issues

6. *Include language into both the Solid Waste Management Plan and interlocal agreements between the county and the cities that addresses: roles and responsibilities, funding policies and standards of communication.*
7. *Update and expand interlocal agreements between the county and cities to include issues arising from this Plan update, including details regarding the generation and allocation of interlocal revenue. (* Tech Team)*
8. *Establish a formal administrative board, representing the county and its cities, to perform or oversee the regional coordination roles currently performed by the county. (*Tech Team)*
9. *Actively use the Plan update process to involve cities in setting priorities for county solid waste programs for the next five years. Keep city input into county solid waste program annual budgets informal, at the staff level. (*Tech Team)*
10. *Consolidate county and city solid waste staffs, either through establishment of a joint solid waste agency or through joint offices with separate administrative and funding structures. (* Tech Team)*
11. *When convenient, the County and cities may coordinate to take advantage of contracts, co-locating, etc.*
12. *Encourage and assist cities in determining whether to establish municipal SWACs.*
13. *Encourage and assist cities in determining whether to take on additional solid waste activities, such as collection contracts, enforcement and education programs.*

Promote coordinated efforts and consistency of messages to the citizens. (Tech Team)*

For Alternatives 6—13:

The cities have a number of alternatives for managing collection within their municipal boundaries. Cities that desire an active role can provide municipal collection or contract for services. Similarly, cities can choose to implement active administration programs, enforcement activities, licensing programs, data tracking and monitoring for waste generation and/or disposal, education or other outreach programs, or establish SWACs. Cities that desire a less active role can defer to the WUTC-certificated hauler and rely on the County and SWWHD programs for administrative, enforcement, state required programs for collection, education, etc.

The County has implemented programs and provided opportunities for cities to participate in the planning and implementation of the programs. The cities within the County have participated in the planning, implementation and evaluation of programs to varying degrees. All cities determine their own level of involvement and control. The County, working with the cities and other jurisdictional agencies, sets staff and program priorities. Priorities are expected to change over time as various issues are resolved and as newer solid waste programs mature and are institutionalized.

Interlocal coordination is needed to set service levels, performance measures, funding levels and implementation responsibilities and other issues related to managing the solid waste collection and disposal system. Coordination between the cities and the County can take several different forms. Coordination could continue at the current level, a formal body could be formed, or interlocal agreements could be renegotiated to better define respective roles and responsibilities.

If coordination is continued at this current level, some additional facilitation may be needed to gain consensus on appropriate governmental roles and responsibilities. This facilitation could assist with determining the best strategy to implement some administrative and enforcement activities, including the responsible level of government and funding source. Alternatively, a formal body could be established as a forum for addressing administrative and enforcement issues. This has been done in King and Whatcom Counties.

The third alternative is to renegotiate existing interlocal agreements to resolve outstanding questions regarding jurisdictional roles and responsibilities. If outstanding issues could be resolved through negotiations, the resulting agreement could formally address role and responsibilities in greater detail, consistent with current needs. This approach would embed the resulting agreement in contract form, possibly including formal review and enforcement procedures. Other alternatives include merging Vancouver and County staffs into a consolidated or joint program or using the Plan update process as a prioritizing process for programs and activities.

14. Explore funding options, as necessary, to ensure that funding of required solid waste, waste prevention and recycling roles continues, such as collection and

disposal districts, new revenue-generating authorities and contract revisions for disposal and collection services.

This alternative includes a variety of funding mechanisms which are authorized under State law. Solid waste disposal districts are quasi-municipal corporations with taxing authority established to provide and fund solid waste management services. Disposal districts could be established to help fund solid waste management facilities and programs, such as closure of a landfill or development of a transfer station. Solid waste collection districts mandate that the households within the district subscribe to service. Mandatory collection service for these areas could reduce illegal dumping and self-disposal (onsite burial of waste). However, mandating such a service requirement would have to be carefully evaluated. Either type of district could include the incorporated areas of a city or town or a portion of an adjoining county with the consent of that local jurisdiction.

It would be difficult to develop a single or multi-jurisdictional consensus on the need, formation, and structure of either type of district. In addition, public resistance to creation of another level of government administration with taxing authority could be significant. However, the need may arise for funding that could justify formation of a district or applying new revenue generating mechanisms.

15. Integrate the County Solid Waste Program to include other environmental issues, such as water quality, that have impact on and are significantly affected by solid waste.

Initial efforts of the Program focused on implementing residential recycling collection and moderate risk waste programs and supporting waste reduction and recycling education programs. Focus has been shifting toward assisting businesses with waste reduction and toxicity reduction programs, which incorporate and complement other environmental programs. Many of these efforts benefit the region's water quality and related habitat and species protection programs. An expanded role in coordinating among disciplines and agencies is evolving. Administrative and enforcement roles should be periodically reviewed to ensure they support continued efficient delivery of programs and services, as well as consistent messages. The county's role in coordinating with agencies and businesses involved in other environmental issues, such as water quality, which have an impact on and are significantly affected by solid waste management issues, will become more important.

16. Begin discussions in the next Plan update regarding long-term management options for waste transfer and disposal, beyond the existing agreements that run through 2011.

The County has been granted the authority and responsibility to ensure that a long term (i.e. 20 year) solid waste disposal system is available for the region's waste. The County's role as a coordinator has been to balance its long-term commitments with opportunities for new efficiencies. As the County's 20-year disposal contract nears its end, the role as coordinator will be especially significant, as the private and public sector parties to solid waste management reconsider long-term management schemes. The possibilities for a less-centralized disposal system will need to be considered.

- 17. Continue and expand coordination with other agencies for educational and technical assistance programs that offer alternatives to open burning and ensure proper handling of asbestos and other waste management issues.*

The Southwest Washington Air Pollution Control Authority (SWAPCA) has statutory authority for burning ban enforcement, proper handling of friable asbestos, petroleum (and other) contaminated soil treatment and handling. The County, SWAPCA, and Ecology (which also has certain authorities in these areas) could increase coordinated efforts to educate residents about other options to burning yard debris and trash, contractors and residents about proper handling, treatment, removal or disposal options for asbestos and contaminated soils. These educational efforts could also be accompanied by increased enforcement. While SWAPCA is concerned mainly about air quality within its jurisdiction, improper disposal of asbestos and contaminated soil can endanger MSW disposal facility workers and customers, and is a solid waste handling concern for the County and its disposal contractor.

- 18. The County should work with Portland Metro to advance proposals that would mutually benefit both regions. Examples of such proposals include: the development and implementation of an advanced disposal fee for the bi-state region; development of joint market development projects and efforts; and, filing joint grant applications for solid waste projects or studies.*
- 19. The County should provide for a reciprocal exchange of technical assistance and input with Portland Metro for areas of mutual concern, such as reviewing waste disposal or transport contracts, and sharing waste stream data and tonnage forecasts.*
- 20. The County should enhance communication with Portland Metro governments in order to mutually benefit the efficiencies of solid waste systems of the Clark County/Portland Metro region. Examples of areas of potential benefit are: utilizing similar media messages in common media-shed, exchanging (illegal hauling and disposal) enforcement information, identifying opportunities for coordination and joint action.*
- 21. The County should examine the potential of using joint or separate contracts with Portland Metro in order to reduce the likelihood of monopoly situations or to experience savings.*
- 22. Explore intergovernmental cooperation alternatives for enhancing the regulation of the solid waste system and enforcement of laws and regulations. Alternatives include requiring regulated facilities to comply with the laws and regulations of other governments as a condition of contracts/licenses; developing uniform and consistent provisions and language for use in laws and regulatory devices; and, collecting solid waste fees and taxes originating in each others' jurisdictions.*
- 23. The Clark County region should have discussions with Metro and other governments on any items of common interest and relating to solid waste issues.*

For Alternatives 18—23:

These alternatives would involve the County and cities participating in region-wide programs and coordination with other local governments in southwest Washington and/or northwest Oregon. The potential advantages of region-wide programs and

coordination could include: achieving economies of scale in different components of the solid waste management system (e.g., transfer, disposal operations or recycling market contracts); risk reduction in solid waste programs through an increased and more diverse user base; coordinated facility planning, development, and usage; and, enhanced likelihood of passage of legislation for the greater NW region on broad, common issues.

An effective regional system would require a high level of coordination and cooperation from participating jurisdictions. Political and institutional barriers would be significant as participants would attempt to derive maximum benefit while minimizing risk for their respective jurisdictions. Individual jurisdictions in regional initiatives have historically been very unwilling to use and consume local resources for the benefit of all participants collectively.

Other regional solid waste management initiatives in Washington State have shown little progress toward stated goals. It is unlikely that major solid waste facilities or primary management programs could be implemented under a regional management program due to the adequacy of the existing system and the institutional and political reasons previously described. However, regional approaches could be used to plan, develop or coordinate smaller facilities or peripheral programs that are currently being identified as being required by many jurisdictions. Potential opportunities for regional coordination include: program management of special wastes, pilot-scale testing of innovative technologies and programs, special waste processing, treatment or disposal option, waste reduction and recycling education and outreach, market development, marketing of recyclable materials, shared technical assistance between agencies, as well as sharing data or information, joint contracts or intergovernmental agreements for services and coordinated legislative efforts for regional initiatives on common issues, such as market development funding or extended product responsibility.

Recommendations

SWAC recommends the following for inclusion by the Clark County Board of County Commissioners and the City Councils of the cities within Clark County in the updated Clark County solid Waste Management Plan.

State agency administrative issues

- 1. Work with the Washington State Recycling Association and other counties and state agencies to develop a legislative update to RCW 70.95's goal of a statewide recycling rate of 50% by 1995.*
- 3. Work with WUTC and WUTC-certificated haulers to develop rate structures that support and encourage waste reduction and recycling.*
- 4. Promote legislation to give counties the same options as cities for managing waste collection, including the ability to set rates.*
- 5. Support efforts of other jurisdictions, toward legislative changes to provide additional funding options for county solid waste, waste prevention and recycling needs.*

Regional/Local Administrative Issues

- 6. Include language into both the Solid Waste Management Plan and interlocal agreements between the county and the cities that addresses: roles and responsibilities, funding policies and standards of communication.*
- 11. When convenient, the County and cities may coordinate to take advantage of contracts, co-locating, etc.*
- 14. Explore funding options, as necessary, to ensure that funding of required solid waste, waste prevention and recycling roles continues, such as collection and disposal districts, new revenue-generating authorities and contract revisions for disposal and collection services. (Note: this is not SWAC's preferred alternative, but is here if needed.)*
- 15. Integrate the County Solid Waste Program to include other environmental issues, such as water quality, that have impact on and are significantly affected by solid waste.*
- 16. Begin discussions in the next Plan update regarding long-term management options for waste transfer and disposal, beyond the existing agreements that run through 2011.*
- 17. Continue and expand coordination with other agencies for educational and technical assistance programs that offer alternatives to open burning and ensure proper handling of asbestos and other waste management issues.*
- 18. The County should work with Portland Metro to advance proposals that would mutually benefit both regions. Examples of such proposals include: the development and implementation of an advanced disposal fee for the bi-state region; development of joint market development projects and efforts; and, filing joint grant applications for solid waste projects or studies.*

- 19. The County should provide for a reciprocal exchange of technical assistance and input with Portland Metro for areas of mutual concern, such as reviewing waste disposal or transport contracts, and sharing waste stream data and tonnage forecasts.*
- 20. The County should enhance communication with Portland Metro governments in order to mutually benefit the efficiencies of solid waste systems of the Clark County/Portland Metro region. Examples of areas of potential benefit are: utilizing similar media messages in common media-shed, exchanging (illegal hauling and disposal) enforcement information, identifying opportunities for coordination and joint action.*
- 21. The County should examine the potential of using joint or separate contracts with Portland Metro in order to reduce the likelihood of monopoly situations or to experience savings.*
- 22. Explore intergovernmental cooperation alternatives for enhancing the regulation of the solid waste system and enforcement of laws and regulations. Alternatives include requiring regulated facilities to comply with the laws and regulations of other governments as a condition of contracts/licenses; developing uniform and consistent provisions and language for use in laws and regulatory devices; and, collecting solid waste fees and taxes originating in each others' jurisdictions.*
- 23. The Clark County region should have discussions with Metro and other governments on any items of common interest and relating to solid waste issues.*